

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

:

Beg Investments t/a :

XII Restaurant and Lounge :

1123-1125 H Street, NE :

Retailer CT :

License Renewal :

License #ABRA-076366 :

Case #13-PRO-00139 :

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TUESDAY, NOVEMBER 12, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 1250 U Street, N.W., Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:07 a.m.)

3 AGENT FLETCHER: Would the parties  
4 in the matter of XII Restaurant and Lounge  
5 come forward? The parties in the matter of  
6 XII Restaurant and Lounge.

7 (Whereupon, at 10:07 a.m. a recess  
8 until 10:10 a.m.)

9 AGENT FLETCHER: Would the parties  
10 in the matter of XII Restaurant please come  
11 forward? 12, Case No. 13-PRO-00139. This is  
12 Beg Investments t/a XII Restaurant and Lounge,  
13 1123-1125 H Street, N.E., License No. ABRA-  
14 076366. This is a Retailer CT, license  
15 renewal.

16 The protest issues are adverse  
17 impact on peace, order and quiet.

18 My name is La Verne Fletcher and  
19 I'll be conducting the Roll Call Hearing as  
20 the Board's Agent pursuant to DC Official Code  
21 1601.2.

22 Introductions beginning with the

1 applicant?

2 MR. GIBSON: Good morning, Bernard  
3 Gibson, managing member of XII Restaurant and  
4 Lounge.

5 AGENT FLETCHER: Mr. Gibson, would  
6 you spell your name for the record, please?

7 MR. GIBSON: First name B-E-R-N-A-  
8 R-D last name Gibson, G-I-B-S-O-N.

9 AGENT FLETCHER: Thank you. And  
10 for ANC-6A?

11 MR. HOLMES: David Holmes, Chair  
12 of ANC-6A.

13 AGENT FLETCHER: Thank you, Mr.  
14 Holmes. Mr. Holmes, will you and Jay Williams  
15 be representing the ANC in this case?

16 MR. HOLMES: Yes.

17 AGENT FLETCHER: Okay. So Jay  
18 Williams will also be representing ANC-6A in  
19 this case. His name is spelled J-A-Y and his  
20 last name is Williams. ANC-6A does have  
21 standing as a protestant.

22 We need to set a date for

1 mediation, Status Hearing and a Protest  
2 Hearing. The date for the Status Hearing is  
3 December 11, 2013 at 9:30 and the date for the  
4 Protest Hearing is February 26, 2014 at 1:30  
5 p.m. We need to set a date for mediation to  
6 occur prior to the December 11 Status Hearing.  
7 The next available date for mediation is  
8 Thursday, November 21st.

9 Is that good for you, Mr. Holmes?  
10 Mr. Gibson, is that good for you, November --

11 MR. GIBSON: Yes.

12 AGENT FLETCHER: -- 21?

13 MR. GIBSON: November 21st?

14 AGENT FLETCHER: Um-hum.

15 MR. GIBSON: Yes.

16 AGENT FLETCHER: 9:00, 10:00,  
17 11:00, 1:00? Do you have a preference?

18 MR. GIBSON: 11:00 a.m. works good  
19 for me.

20 AGENT FLETCHER: Is that good for  
21 you, Mr. Holmes?

22 MR. HOLMES: (No audible answer.)

1                   AGENT FLETCHER: Okay. So the  
2 mediation is set for Thursday, November 21, at  
3 11:00.

4                   Mr. Gibson, did you put your  
5 contact information on that sheet?

6                   MR. GIBSON: Yes, ma'am.

7                   AGENT FLETCHER: Okay. Thank you  
8 very much. The Roll Call Hearing is  
9 concluded. Thank you.

10                  MR. GIBSON: Will mediation be  
11 held here?

12                  AGENT FLETCHER: Yes.

13                  MR. GIBSON: Thank you.

14                  AGENT FLETCHER: Yes, Mr. Gibson,  
15 when you come just check in with the  
16 receptionist.

17                  MR. GIBSON: Okay. Thank you.

18                  AGENT FLETCHER: Okay. You're  
19 welcome.

20                  (Whereupon, the Roll Call Hearing  
21 in the above-entitled matter was concluded at  
22 10:13 a.m.)

<b>A</b>	<b>David</b> 3:11 <b>DC</b> 2:20 <b>December</b> 4:3,6 <b>DISTRICT</b> 1:1	<b>license</b> 1:11,12 2:13 2:14 <b>Lounge</b> 1:9 2:4,6 2:12 3:4	<b>Q</b>	<b>X</b>
<b>a.m</b> 2:2,7,8 4:18 5:22 <b>above-entitled</b> 5:21 <b>ABRA</b> 2:13 <b>ABRA-076366</b> 1:12 <b>adverse</b> 2:16 <b>Agent</b> 1:22 2:3,9,20 3:5,9,13,17 4:12 4:14,16,20 5:1,7 5:12,14,18 <b>Alcoholic</b> 1:3,18,19 <b>ANC</b> 3:15 <b>ANC-6A</b> 3:10,12 3:18,20 <b>answer</b> 4:22 <b>applicant</b> 3:1 <b>audible</b> 4:22 <b>available</b> 4:7	<b>E</b>	<b>M</b>	<b>quiet</b> 2:17	<b>XII</b> 1:9 2:4,6,10,12 3:3
<b>B</b>	<b>F</b>	<b>ma'am</b> 5:6 <b>managing</b> 3:3 <b>matter</b> 1:8 2:4,5,10 5:21 <b>mediation</b> 4:1,5,7 5:2,10 <b>member</b> 3:3 <b>met</b> 1:19 <b>morning</b> 3:2	<b>R</b>	<b>Y</b>
<b>B-E-R-N-A</b> 3:7 <b>Beg</b> 1:9 2:12 <b>beginning</b> 2:22 <b>Bernard</b> 3:2 <b>Beverage</b> 1:3,18,19 <b>Board</b> 1:3,19 <b>Board's</b> 2:20	<b>February</b> 4:4 <b>First</b> 3:7 <b>Fletcher</b> 1:21 2:3,9 2:18 3:5,9,13,17 4:12,14,16,20 5:1 5:7,12,14,18 <b>forward</b> 2:5,11	<b>N</b>	<b>R-D</b> 3:8 <b>receptionist</b> 5:16 <b>recess</b> 2:7 <b>record</b> 3:6 <b>renewal</b> 1:11 2:15 <b>representing</b> 3:15 3:18 <b>Restaurant</b> 1:9 2:4 2:6,10,12 3:3 <b>Retailer</b> 1:10 2:14 <b>Roll</b> 1:5 2:19 5:8,20 <b>Room</b> 1:20	<b>Z</b>
<b>C</b>	<b>G</b>	<b>N.E</b> 2:13 <b>N.W</b> 1:20 <b>name</b> 2:18 3:6,7,8 3:19,20 <b>NE</b> 1:10 <b>need</b> 3:22 4:5 <b>November</b> 1:14 4:8 4:10,13 5:2	<b>S</b>	<b>0</b>
<b>Call</b> 1:5 2:19 5:8,20 <b>case</b> 1:12 2:11 3:15 3:19 <b>Chair</b> 3:11 <b>check</b> 5:15 <b>Code</b> 2:20 <b>COLUMBIA</b> 1:1 <b>come</b> 2:5,10 5:15 <b>concluded</b> 5:9,21 <b>conducting</b> 2:19 <b>contact</b> 5:5 <b>Control</b> 1:3,18,19 <b>CT</b> 1:10 2:14	<b>G-I-B-S-O-N</b> 3:8 <b>Gibson</b> 3:2,3,5,7,8 4:10,11,13,15,18 5:4,6,10,13,14,17 <b>good</b> 3:2 4:9,10,18 4:20	<b>O</b>	<b>set</b> 3:22 4:5 5:2 <b>sheet</b> 5:5 <b>spell</b> 3:6 <b>spelled</b> 3:19 <b>standing</b> 3:21 <b>Status</b> 4:1,2,6 <b>Street</b> 1:10,20 2:13	<b>076366</b> 2:14
<b>D</b>	<b>H</b>	<b>occur</b> 4:6 <b>Official</b> 2:20 <b>Okay</b> 3:17 5:1,7,17 5:18 <b>order</b> 2:17	<b>T</b>	<b>1</b>
<b>D.C</b> 1:21 <b>date</b> 3:22 4:2,3,5,7	<b>H</b> 1:10 2:13 <b>Hearing</b> 1:5,20 2:19 4:1,2,2,4,6 5:8,20 <b>held</b> 5:11 <b>Holmes</b> 3:11,11,14 3:14,16 4:9,21,22	<b>P</b>	<b>t/a</b> 1:9 2:12 <b>p</b> 1:7,13 <b>Thank</b> 3:9,13 5:7,9 5:13,17 <b>Thursday</b> 4:8 5:2 <b>TUESDAY</b> 1:14	<b>1:00</b> 4:17 <b>1:30</b> 4:4 <b>10:00</b> 4:16 <b>10:07</b> 2:2,7 <b>10:10</b> 2:8 <b>10:13</b> 5:22 <b>11</b> 4:3,6 <b>11:00</b> 4:17,18 5:3 <b>1123-1125</b> 1:10 2:13 <b>12</b> 1:14 2:11 <b>1250</b> 1:20 <b>13-PRO-00139</b> 1:12 2:11 <b>1601.2</b> 2:21
	<b>I</b>	<b>P-R-O-C-E-E-D-...</b> 2:1 <b>p.m</b> 4:5 <b>parties</b> 2:3,5,9 <b>peace</b> 2:17 <b>please</b> 2:10 3:6 <b>preference</b> 4:17 <b>presiding</b> 1:22 <b>prior</b> 4:6 <b>protest</b> 2:16 4:1,4 <b>protestant</b> 3:21 <b>pursuant</b> 2:20 <b>put</b> 5:4	<b>U</b>	<b>2</b>
	<b>J</b>		<b>U</b> 1:20 <b>Um-hum</b> 4:14	<b>2013</b> 1:14 4:3 <b>2014</b> 4:4 <b>21</b> 4:12 5:2 <b>21st</b> 4:8,13 <b>26</b> 4:4
	<b>K</b>		<b>V</b>	<b>3</b>
	<b>L</b>		<b>Verne</b> 1:21 2:18	<b>4</b>
	<b>La</b> 1:21 2:18		<b>W</b>	<b>5</b>
			<b>Washington</b> 1:21 <b>welcome</b> 5:19 <b>Williams</b> 3:14,18 3:20 <b>works</b> 4:18	<b>6</b>
				<b>7</b>
				<b>8</b>
				<b>9</b>